

PUBLIC HEARING NOTICE

The Town Council of the Town of Amherst will hold a public hearing at 7:00 P.M. on June 9, 2010 in the Council Chambers of the Town Hall at 186 South Main Street. The purpose of the hearing is to receive public comment on a proposed amendment to §17-12 of the Town Code which would establish the Town's policy on prepaid water and sewer availability fees. A copy of the full proposal can be viewed online at www.amherstva.gov and in the Town Hall during normal working hours.

Sec. 17-12. Water and sewer connections.

New connections to the Town of Amherst water and sewer system will be made under the following procedures:

- (a) **Adequacy of system.** The portions of the Town of Amherst water and sewer system serving the vicinity of the proposed connection must be large enough to retain adequate levels service, in the sole determination of the Town Council, for existing users as well as the new users.
- (b) **Availability fees.** Availability fees for residential water and sewer users are based on (a) the number of residences to be attached to the Town system and (b) the location of the new user. Nonresidential users are assessed based on the equivalent residential capacity of the water meter serving the user's new facility. Except for special assessment areas established by the Town Council, each new user of the Town of Amherst's water and sewer system shall be assessed an availability fee according to the following chart:

Meter Size	80% Capacity, gpm	Factor	In Town		Out of Town		
			Water	Sewer	Water	Sewer	
5/8"	16	1	\$1,700	\$2,500	\$4,000	\$5,000	Single Family Residential Service
3/4"	24	1.5	\$2,550	\$3,750	\$6,000	\$7,500	
1"	40	2.5	\$4,250	\$6,250	\$10,000	\$12,500	
1 1/2"	80	5	\$8,500	\$12,500	\$25,000	\$25,000	
2"	128	8	\$13,600	\$20,000	\$40,000	\$40,000	
3"	280	17.5	\$29,750	\$43,750	\$87,500	\$87,500	
4"	480	30	\$51,000	\$75,000	\$150,000	\$150,000	
6"	1000	62.5	\$106,250	\$156,250	\$312,500	\$312,500	

All availability fees and surcharges shall be paid in advance of zoning permit issuance or physical connection. Both water and sewer availability fees will be assessed in the event the size of a user's meter is increased. Existing users shall pay the difference between the larger meter fee and the fee that would be charged for the existing meter when larger meters are installed. No availability fee shall apply to a separate "irrigation" meter for a bona fide water customer where no water will be routed back to Town sewer. No refund will be made for the removal or downsizing of meters.

At the request of a property owner, the Town Council may authorize "prepaid" availability fees provided that:

- i. the then-current property owner shall be guaranteed availability of water and/or sewer services for no more than four years,
- ii. after the four-year period the Town will have the option to assess minimum monthly fees to the property owner if no water or sewer is being used,
- iii. after the four-year period the Town will have the option to refund the availability fees with no interest to the then-current owner(s) of the lot(s) if no water or sewer has been used even if monthly minimum fees have been assessed, and
- iv. the Town Council shall have approved a contract appropriately articulating the terms of the prepayment agreement.

In order to encourage economic development or employment for the Town, the Town Council may, in its sole discretion and by resolution, authorize the availability fee to be paid from the general fund for those commercial or industrial owners (applicants) which the Town Council in its sole discretion determines would provide economic development or significant employment opportunities.

- (c) **Connection fees.** For both water and sewer connections, the cost of construction to the Town in making the connection will be assessed to the owner of the property requesting the connection in the form of a connection fee. Actual connection to Town lines shall be done by the Town or by contractor following written approval for same under inspection by the Town Manager. For usual and customary water and sewer connections to serve a single family residence or similar user and involving no more than 20' of service pipe between an existing main and the demarcation point, the connection fee shall be \$500.00 for water and \$500.00 for sewer paid prior to the issuance of a zoning certificate. The estimated connection fee shall be escrowed in cash with the Town if the projected cost of installing new facilities is in excess of \$500.00.

The Town Council may, in its sole discretion waive a portion of the availability or connection fees for facilities installed under federal or state funded projects. At the Town's request, the portion waived shall be indicated as Town financial participation in the project.
(Amended December 12, 2007.)